

**TOWN OF KIRKLAND  
COUNTY OF ONEIDA, STATE OF NEW YORK**

**LOCAL LAW NO. 1 OF 2019**

**A Local Law to amend the code of the Town of Kirkland, Chapter 118 thereof entitled ZONING providing for a Route 12B corridor overlay district governing development within the State Route 12B corridor.**

BE IT HEREBY ENACTED by the Town Board of the Town of Kirkland as follows:

**Section 1.** Chapter 118 of the Code of Town of Kirkland adopted March 8, 1962; amended in its entirety on August 13, 2007 by Local Law No. 1 of 2007 and at various times thereafter, it is further modified and amended to provide as follows:

**CHAPTER 118  
§ 118-2**

**B. Definitions and Word Usage.** As used in this chapter, the following terms are amended, modified or added to the Code and shall have the meanings indicated:

**§ 118-2. Definitions and word usage.**

The following are definitions to support the overlay amendment. If a use or other term is not found here, it is intended that the current definition will be used. In some cases the definition found below will replace a current definition.

**Agriculture-Related Enterprise** – A retail or wholesale enterprise providing services or products utilized in agricultural production, such as Structures, agricultural equipment and agricultural equipment parts, livestock, feed, seed, fertilizer and agricultural equipment repairs and wholesale or retail sale of grain, fruit, produce, trees, shrubs, flowers or other products of local agricultural operations.

**Artist Studio/Craft Workshop** – A place where artists, artisans, craftsmen and other skilled tradespeople produce custom-made art or craft products, where they teach such skills, and/or where they sell such art or products.

**Bed-and-Breakfast** – The definition is amended and modified in its entirety as hereinafter set forth (see Bed-and-Breakfast Establishment).

**Bed-and-Breakfast Establishment** – A Dwelling having a resident host in a private single-family home with common dining and leisure rooms and lodging rooms for overnight accommodations, the rates for which include breakfast and lodging only, and in which no public restaurant is maintained and no other commercial services are offered. The Bed-and-Breakfast Establishment shall have not more than ten (10) occupants as lodgers in at least three (3) and not

more than five (5) rooms. The period of accommodation shall be of a clearly temporary nature. Such use shall not be construed as a Boarding House.

**Bed-and-Breakfast Home** – A Dwelling having a resident host in the primary Dwelling of a private single-family or two-family home in which at least one (1) and not more than two (2) rooms are provided for overnight accommodations, the rates for which include breakfast and lodging only, and in which no public restaurant is maintained. The Bed-and-Breakfast Home shall not have more than four (4) occupants as lodgers. The period of accommodation shall be of a clearly temporary nature. Such use shall not be construed as a Boarding House.

**Boarding House** – Any Dwelling in which more than three (3) persons, either individually or as families, are housed or lodged for hire with or without meals. A rooming house or a furnished rooming house shall be deemed a Boarding House.

**Building Trade Shop** – This term is deleted in its entirety (see Contractors Yard).

**Campground** – An area to be used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar movable or temporary sleeping quarters of any kind. This use shall not be construed as a Retreat or Conference Center.

**Congregate Care Facility** – A facility providing residential care and services in community integrated settings for persons who may require assistance with daily activities. Such services may include twenty-four-hour supervision, room and board, housekeeping, case management, recreation programs, medication management and where necessary, provision or arrangement for the provision of enhanced professional services such as medical, nursing, physical therapy and other personal care services. Congregate care facilities include assisted living programs and adult care facilities run in accordance with New York State requirements.

**Contractor's Yard** – Any space, whether inside or outside a Building, used for the storage or keeping of operable construction equipment, machinery or vehicles or parts thereof which are used by a construction contractor. A building trade or construction contractor is defined as but not limited to carpenters, electricians, masons, site work contractors, plumbers, heating, ventilating, and air conditioning (HVAC) technicians, general contractors, etc.

**Day Care Center, Child** – A facility which is not a Dwelling Unit in which care is provided on a regular basis to three (3) or more children [See 18 NYCRR § 413.2(g)].

**Day Care Homes, Group Family** – A Dwelling Unit which is a personal residence and occupied as a family residence which provides day care on a regular basis for seven (7) to twelve (12) children [See 18 NYCRR § 413.2(j)].

**Design Guidelines** – A set of design parameters for development which apply within a design district, subdistrict, or overlay zone. These guidelines are adopted public statements of intent and are used to evaluate the acceptability of a project's design.

**Farm Stand** – A permanent or temporary stand not to exceed 144 square feet for the sale and display of farm products and seasonal items.

**Greenhouse Private** – A private structure used for growing plants utilized in indoor/outdoor planting. A private Nursery/Greenhouse is an accessory use to a residential property.

**Home Occupation** – The definition of Home Occupation is amended and modified in its entirety as hereinafter set forth.

**Home Occupation: Level 1** – A business conducted entirely within a Dwelling and carried on by inhabitants thereof; which use is clearly incidental and secondary to the use of the Dwelling for residential purposes, and which use does not change the character thereof, and which business does not involve the employment of more than one person at the Dwelling on a daily basis. The business may employ others who do not report to the Dwelling on a daily basis. There shall be no exterior evidence of such home occupation, except for a sign as allowed.

**Home Occupation: Level 2** – A business conducted on a residential property and carried on by the inhabitants thereof; which use is clearly incidental and secondary to the use of the Dwelling for residential purposes, and which use does not change the character thereof. A Level 2 Home Occupation may employ up to three (3) persons who report to the Dwelling on a daily basis. The business may have more employees who do not report to the Dwelling on a daily basis.

**Inn** – A commercial facility, resembling in character traditional residential construction, providing lodging and meals characterized by common dining facilities and a common leisure room available for use by lodgers and the general public. The period of accommodation shall be of a clearly temporary nature. Such use shall not be construed as Boarding House.

**Manufactured Home** – A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site; is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a Dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The term shall include any Structure that meets all of the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States secretary of housing and urban development and complies with the standards established under Title 42 of the United States code; and except that such term shall not include any self-propelled recreational vehicle.

**Mobile Home** – The definition of Mobile Home is amended and modified as hereinafter set forth.

**Mobile Home** – A moveable or portable unit designed and constructed to be towed on its own chassis, comprised of frame and wheels, connected to utilities, and designed and constructed without a permanent foundation for year-round living. A unit may contain parts that may be folded, collapsed or telescoped when being towed and expanded later to provide additional cubic capacity as well as two or more separately towable components for repeated towing. Mobile Home shall mean units designed to be used exclusively for residential purposes, excluding travel trailers.

**Nursery/Greenhouse, Retail and Wholesale** – A retail or wholesale establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed Structure. A nursery or greenhouse which supports a commercial business or offsite enterprise is not an accessory use to a residential property.

**Professional Office** – A Structure used for the organizational or administrative aspects of a trade or profession or used in the conduct of a business and not involving the manufacture, storage, display, or direct retail sales of goods, characterized by low traffic and pedestrian volumes, lack of distracting, irritating, or sustained noise, and low density of building developments. This definition may include, but is not limited to, the offices of: accountants, appraisers, architects, planners, engineers, financial planners, insurance brokers or adjusters, landscape architects, lawyers, consultants, secretarial agencies, bonding agencies, real estate, mortgage or title agencies, investment agencies, and persons with similar occupations.

**Recreation, Active** – Recreation that invokes organized athletic activities requiring fixed infrastructure such as playing fields and/or accessory infrastructure such as seating areas, changing facilities and/or concessions. Active recreational activities include but are not limited to team sports such as baseball, soccer, and lacrosse, smaller group sports such as racquet sports, golf courses (and associated facilities such as driving ranges) and other active recreational uses that require permanent infrastructure such as a skateboarding park or ice rink.

**Recreational Facility, Athletic** – A commercial or non-commercial recreational use that may be permanent or temporary in nature, for the conducting of recreational activities including but not limited to swimming, tennis, court games, baseball and other field sports, riding academies, and playground activities, but excluding recreational activities involving mechanical devices that are powered by non-human means, such as motorized vehicles. A public park shall not be considered and regulated as an Athletic Recreational Facility.

**Recreation, Passive** – Recreation that generally does not involve organized athletic teams and/or significant fixed infrastructure, apart from such improvements as trails, parking areas, restrooms, picnic shelters and the like. Passive recreational activities include but are not limited to jogging, biking, cross country skiing, hiking, walking or biking on recreational trails and paths, horseback riding, wildlife viewing, picnicking and relaxation.

**Retreat or Conference Center** – A facility used for service organizations, businesses, professional, educational, or religious meetings or seminars limited to accommodations for attendees. The accommodations can include sleeping, eating and recreation.

**Service Business** – Any business or nonprofit organization that provides services to individuals, businesses, industry, government, or other enterprises.

**Senior Care Facility** – A living and care facility for over ten (10) seniors in a variety of settings.

**Senior Housing, Family** – Living facilities offering a family type of living environment where residences are designed to feel like a home instead of a medical facility and to blend in architecturally with neighboring homes. The residences are designed as efficient homes for six (6) to ten (10) seniors, each of whom has a private room with a private bath and easy access to

all communal areas of the house, including a living room area, dining area, kitchen, laundry, outdoor garden, and patio.

**Warehouse** – the definition of Warehouse is amended and modified in its entirety as set forth below.

**Warehouse** – A building or part of a building, designed for receiving, storing and distribution of goods, wares, and merchandise, whether for the owner or for others, and whether it is a public or private warehouse. This definition includes a wholesale business for shipping/receiving.

**Workshop/Garage - Non-Commercial** – A Structure used for the conduct of non-commercial, low-intensity activities such as woodworking, personal vehicle repair, and storage. Normally considered an accessory use, but may be allowed without a principle building.

## **CHAPTER 118**

### **§118-5**

**Section 118-5 is amended to add:**

12BCOD                                      12B Corridor Overlay District

## **CHAPTER 118**

### **§118-6**

**Section 118-6 is amended to add:**

- K.      Route 12b Corridor Overlay District: to preserve and protect the Town’s existing rural residential and agricultural character and protect the health, safety and general welfare of the public while providing for permitted business and commercial activities along New York State Route 12B.

## **CHAPTER 118**

### **§118-7**

**Section 118-7 is amended Zoning Map as follows:**

Said districts are shown, defined and bounded on the map accompanying this chapter, entitled “Town of Kirkland Zoning Map,” dated November 13, 2019 and signed by the Town Clerk. The Zoning map and all explanatory material thereon is hereby made a part of this chapter.

**CHAPTER 118**  
**§118-14**

**Section 118-14 Special Permit Uses is amended and modified as follows:**

**§ 118-14. Special permit uses.**

- A. Uses shown as special permit uses in Column 4 in Schedule A must be approved by the Planning Board as explained in § 118-65. All applications for uses in this category shall be referred by the Building Inspector to the Planning Board.
- B. Any special permit use and/or land development activity that may result in land disturbance equal to or greater than one acre shall meet the stormwater management, erosion and sediment control requirements specified in Chapter 100 of the Code of the Town of Kirkland.

**CHAPTER 118**  
**§118-16**

**Section 118-16 is amended to add:**

**§ 118-16.6 Route 12B Corridor Overlay District.**

Any proposed land development activity that is wholly or partially within the Route 12B Corridor Overlay District shall be required to have site plan approval by the Planning Board in accordance with Article III, §118-18, §118-74 and shall meet all other standards as set forth in this Section and Schedules A, A-1, A-2 and A-3.

- A. Purpose. The purpose of this Overlay District is to preserve and protect the Towns existing rural residential and agricultural character, maintain a rural corridor in combination with vegetative buffers from negative impacts associated with land use activities in order to protect the health, safety and general welfare of the public while providing for permitted business and commercial activities along New York State Route 12B.
- B. General Process. Within the Overlay Districts, no person shall undertake any land use activity, as hereinafter defined, except pursuant to the review and approval by the Planning Board in accordance with the requirements of this article and all other applicable regulations contained in this chapter.
  - (1) Definition of “Land Use Activity”. Land use activity, for purpose of this article, means any construction or other activity which materially changes the use or appearance of a structure, or the intensity of use of land or a structure. Land use

activity shall include activities which require a building permit or certificate of use or occupancy, except as provided below.

- (2) General Exceptions. All new land use activities within the Town, designated above, shall require review and approval pursuant to the provisions hereof being undertaken, except the following:
  - (a) Ordinary repair or maintenance of interior alterations to existing structures, provided there is no change of use;
  - (b) Exterior alterations or additions to structures that are in existence on the date that this chapter is enacted which would not increase the square footage of the existing structure by more than 25% or 500 square feet, whichever is smaller, provided there is no change of use; and
  - (c) Structures under 100 square feet in size.
- (3) An Application for review and approval under this article shall be filed according to the requirements and procedures set forth in 118-18, Site Plan Review.
- (4) The procedure for review and approval relating to the Route 12B Corridor Overlay District shall be as set forth in 118-18, Site Plan Review.

#### **§118-16.6 C Compliance and Design Guidelines.**

No Land Use Activity, development and redevelopment of lots and property in the Route 12B Corridor Overlay District shall be permitted unless it has been determined by the Planning Board that the land use activity, development or redevelopment will not significantly result in unsafe or unhealthy conditions, erosion or sedimentation, water pollution, degradation of fish and wildlife habitat or conflicts of use, and will be protective of the natural resources of the Town.

- (1) General Standards.
  - (A) The Planning Board shall approve land use activities within the Route 12B Corridor Overlay District only where it finds that:
    - (a) The project meets all applicable guidelines set forth in this chapter.
    - (b) The project will be designed, constructed and operated such that it will have no adverse impacts on the environment, public health and/or safety.
    - (c) In making findings related to subsection 116-16.6C(1)(b), the Planning Board shall adhere to guidelines set forth in this article and article 118-18, Site Plan Review.

- (2) Landscape Design. Any proposed Land Use Activity, development or redevelopment subject to a building permit or review under this law shall include a landscape and planting plan that includes:
- (a) A map or sketch of existing vegetation to be retained or removed;
  - (b) A detailed landscape plan that includes a list of the number, type and location of proposed vegetation;
  - (c) A narrative or drawing demonstrating how the development or redevelopment will preserve open space and existing natural features including mature trees, active farmland, land forms, existing topography and vegetation; and
  - (d) A narrative or drawing demonstrating how the development or redevelopment will accomplish sufficient screening of buildings to maintain the rural character of the 12B Overlay District Guidelines.
- (3) Route 12B Corridor Special Frontage Requirements.
- (a) All new parcels of land which are subdivided and/or created in the Route 12B Corridor Overlay District must have a minimum of four hundred (400) feet of road frontage.
  - (b) Any parcel with at least four hundred (400) feet of frontage may be divided to create up to four (4) parcels utilizing a single shared driveway on NYS Route 12B.
  - (c) Upon approval by the Planning Board, an existing parcel with four hundred (400) feet of road frontage may be divided to create up to three (3) parcels (including the parent parcel) with the addition of one driveway resulting in two (2) total driveways.
  - (d) Shared driveways will be designed in such a manner as to allow for the creation of a public or private road in the future, and allowing for further development of parcels with road frontage on the created public or private road.
  - (e) Parcels created without frontage on a shared drive must have access to an approved Open Development Area as described in Section 280-a(4) of New York State Town Law.
  - (f) At the discretion of the Planning Board, division of parcels remaining purely agricultural use may be given relief from the frontage requirements of this law.
  - (g) Where this provision of law may create undue hardship for a property owner, relief may be sought by applying for an area variance.



- (4) Route 12B Corridor Special Depth Requirements. For purposed of any Land Use Activity on a parcel, the depth of the overlay corridor shall extend not more than five hundred (500.00) feet, as measured along the corridor from the centerline of Route 12B.

**CHAPTER 118**  
**§118-65**

**Section 118.65 G is deleted in its entirety.**

**CHAPTER 118**  
**§118-66**

**Section 118-66 Decisions is deleted in its entirety and replaced with the following:**

§ 118-66. Decisions.

- A. Time of decision. The Planning Board shall decide upon the appeal within 62 days after the conduct of said hearing. The time within which the Planning Board must render its decision may be extended by mutual consent of the applicant and the Board.
- B. Filing of decision and notice. The decision of the Planning Board on the appeal shall be filed in the office of the Town Clerk within five business days after the day such decision is rendered, and a copy thereof mailed to the applicant.
- C. Notice to Planning Board. At least five days before such hearing, the Planning Board shall mail notices thereof to the parties; and to the county, metropolitan or regional planning agency, as required by § 239-nn of the General Municipal Law, which notice shall be accompanied by a full statement of the matter under consideration, as defined in Subdivision 1 of § 239-m of the General Municipal Law.
- D. Compliance with State Environmental Quality Review Act. The Planning Board shall comply with then provisions of the State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations as codified in 6 NYCRR 617.
- E. The Board shall also retain in its files a copy of each decision, which files shall be available for inspection by the public. Each decision shall set forth fully the reasons for the decision of the Board and the findings of fact on which the decision was based. Such findings and reasons shall include references to the standards of subsections of this article where the appeal is for a variance or a special permit.

- F. At its discretion, the Planning Board may require the applicant receiving a variance to file, in proper form for filing, a copy of the Board’s decision granting such variance or special permit in the office of the Oneida County Clerk.

## **CHAPTER 118**

### **§118-74**

**Section 118-74 Policy and all subsequent sections under Article XI, Amendments are renumbered as follows:**

## **ARTICLE XI**

### **Amendments**

- § 118-75 Policy**
- § 118-76 Initiation of Amendments**
- § 118-77 Referral of Amendments**
- § 118-78 Hearing; Notice to Adjacent Property Owners**
- § 118-79 Adoption**
- § 118-80 Protest Petition**
- § 118-81 Periodic Review of Chapter**

The text of the renumbered sections is retained in its entirety.

**Section 118-74 is amended to add:**

**§ 118-74. Powers and duties.** The Planning Board shall have the following additional powers and duties proscribed by the statute and this chapter in regard to the Route 12B Overlay District:

- A. Approval of special use permits,
- (1) Definition of “special use permit.” As used in this section, the term “special use permit” shall mean an authorization of a particular land use which is not a permitted as-of-right use in a zoning ordinance, but may be approved by the Planning Board if it complies with conditions imposed by the ordinance to assure that the proposed use is in harmony with such zoning ordinance and will not adversely affect the neighborhood if such conditions are met. Furthermore, the Planning Board may restrict or deny such permit should it find that the conditions described at Subsection G(4) are not met. A special use permit shall not be granted as a matter of right.
  - (2) Approval of special use permits. The Planning Board may grant special use permits as set forth in this chapter.

- (3) Application for area variance. Notwithstanding any provision of law to the contrary, where a proposed special use permit contains one or more features which do not comply with the zoning area regulations, application may be made to the Zoning Board of Appeals for an area variance pursuant to § 267-b of the Town Law, without the necessity of a decision or determination of an administrative official charged with the enforcement of the zoning regulations.
- (4) Conditions attached to the issuance of special use permits. The Planning Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed special use permit. These may include, but not necessarily be limited to, the following:
  - (a) The use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts.
  - (b) The location and size of the use, the nature and intensity of the operations involved in or conducted in connection therewith, its site layout and its relation to streets giving access to it shall be such that traffic to and from the use and the assembly of persons in connection with it will not be hazardous or inconvenient to the neighborhood or conflict with the normal traffic of the neighborhood. In applying this standard, the Board shall consider, among other things, convenient routes of pedestrian traffic thoroughfares and to street and ram intersections and the general character and intensity of development of the neighborhood.
  - (c) The location and height of the building, the location, nature and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the proper development and use of adjacent land and building or impair the value itself. Upon its granting of said special use permit, any such conditions must be met in connection with the issuance of permits by applicable enforcement agents or officers of the Town.
  - (d) It shall be the burden upon any applicant seeking a special use permit to establish that the proposed use is in harmony with this chapter and will not adversely affect the neighborhood.
- (5) Waiver of conditions. The Town Board may further empower the Planning Board to, when reasonable, waive any pre-established requirements for the approval, approval with modifications or disapproval of special use permits submitted for approval. Any such waiver, which shall be subject to appropriate conditions set forth in the ordinance or local law adopted pursuant to this section, may be exercised in the event that any such requirements are found not to be requisite in the interest of the public health, safety or general welfare or inappropriate to a particular special use permit.
- (6) Public hearing and decision on special use permits. The Planning Board shall conduct a public hearing within 62 days from the day an application is received on any matter referred to it under this section. Public notice of said hearing shall be printed in a

newspaper of general circulation in the Town at least five days prior to the date thereof. The Planning Board shall decide upon the application within 62 days after the hearing. The time within which the Planning Board must render its decision may be extended by mutual consent of the applicant and the Board. The decision of the Planning Board on the application after the holding of the public hearing shall be filed in the office of the Town Clerk within five business days after the day such decision is rendered, and a copy thereof mailed to the applicant.

- (7) Notice to applicant and county, metropolitan or regional planning agency. At least 10 days before such hearing, the Planning Board shall mail notices thereof to the applicant and to the county, metropolitan or regional planning agency, as required by § 239-m of the General Municipal Law, which notice shall be accompanied by a full statement of the matter under consideration, as defined in Subdivision 1 of § 239-m of the General Municipal Law.
- (8) Compliance with State Environmental Quality Review Act. The Planning Board shall comply with the provisions of the State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations as codified in 6 NYCRR 617.

## **Section 2.**

Farm and Agricultural uses in Schedule “A” is amended to add the terms Greenhouse, Private and Nursery/Greenhouse, Retail and Wholesale. In each such instance the following shall apply:

|  |         |
|--|---------|
| Front Yard Setback                     | 50 feet |
| Side Yard Setback                      | 25 feet |
| Rear Yard Setback                      | 50 feet |
| Side Yard Setback, Greenhouse, Private | 10 feet |

## **Section 3. Partial Invalidity.**

- (1) All other provisions of Chapters 95 and 118 of the Code of the Town of Kirkland, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

## **Section 4. Statement of Authority.**

- (2) This Local Law is adopted pursuant to authority vested in the Town Board by New York State Constitution Article IX, Section 2; Sections 10, 11, and 22 of the New York Municipal Home Rule Law; relevant portions of the New York Town Law; The Code of

the Town of Kirkland; and the general police power of the Town of Kirkland to promote health, safety, and welfare of all residents and property owners in the Town.

**Section 5.** Effective Date.

- (1) This Local Law shall become effective upon filing in the office of the Secretary of the State of New York as provided in Section 27 of the Municipal Home Rule Law.

ZONING  
118 Attachment 3  
**Town of Kirkland**  
**Schedule A-3**  
**Route 12B Corridor Overlay District (12BCOD)**

**Uses**

*The following Use table is for allowed uses in the Route 12B Overlay. Current allowable uses have been included for comparison only. These uses will be formatted differently in the final amendment.*

A. In the following Allowable Use Groups Chart:

“HO” means Home Occupation;

“P” means the use is allowed as of right, but in most cases requires Site Plan Review;

“SUP” means the use requires a Special Use Permit;

“X” means the use is not allowed in that particular district.

B. The following uses shall be subject to Site Plan Review:

1. All Business Group Uses;
2. All Community Group Uses;
3. All uses requiring a Special Use Permit.

| USES                              |  | <u>Current</u><br><br>Rural<br>Residential<br><br>For<br>comparison | <b>Proposed<br/>12B<br/>Overlay</b> | Minimum<br>Lot Size |
|-----------------------------------|--|---|-------------------------------------|---------------------|
|                                   |  |   |                                     |                     |
| Farm Operation                    |  | Permitted   | <b>P</b>                            |                     |
| Farm Stand                        |  | Permitted   | <b>P</b>                            |                     |
| <b>Business<br/>Group</b>         |  |   |                                     |                     |
| Agriculture-Related<br>Enterprise |  | Permitted   | <b>SUP</b>                          |                     |

| USES                              | <u>Current</u><br>Rural<br>Residential<br><br>For<br>comparison | <b>Proposed<br/>12B<br/>Overlay</b> | Minimum<br>Lot Size |
|-----------------------------------|---|-------------------------------------|---------------------|
| Artist Studio/Craft Workshop      | HO  | <b>P</b>                            |                     |
| Automotive Salvage and Junk Yards | X   | <b>X</b>                            |                     |
| Bed-and Breakfast establishment   | X   | <b>P</b>                            | 2 Acres             |
| Boarding House                    | X   | <b>SUP</b>                          |                     |
| Campground                        | X   | <b>SUP</b>                          | 2 Acres             |
| Contractor's yard                 | X   | <b>SUP</b>                          | 2 Acres             |
| Day care center, child            | SUP   | <b>P</b>                            |                     |
| Inn                               | X   | <b>SUP</b>                          | 2 Acres             |
| Kennel                            | SUP   | <b>SUP</b>                          | 2 acres             |
| Mining                            | SUP Earth Removal   | <b>X</b>                            |                     |
| Nursery/Greenhouse, Retail        | X   | <b>SUP</b>                          |                     |
| Professional office               | X   | <b>SUP</b>                          |                     |
| Restaurant Neighborhood           | X   | <b>SUP</b>                          | 2 Acres             |
| Retail Store Neighborhood         | X   | <b>SUP</b>                          | 1 Acre              |
| Retreat or Conference Center      | X   | <b>SUP</b>                          | 2 Acres             |

| USES                           |  | <u>Current</u><br><br>Rural<br>Residential<br><br>For<br>comparison | <b>Proposed<br/>12B<br/>Overlay</b> | Minimum<br>Lot Size |
|--------------------------------|--|---|-------------------------------------|---------------------|
| Service business               |  | X   | <b>SUP</b>                          | 1 Acre              |
| Warehouse                      |  | X   | <b>SUP</b>                          | 2 Acres             |
| <b>Residential<br/>Group</b>   |  |   |                                     |                     |
| Bed-and-Breakfast<br>home      |  | SUP as<br>Home Occ.   | <b>P</b>                            |                     |
| Congregate Care<br>Facility    |  | X   | <b>P</b>                            |                     |
| Day care home, Family<br>Group |  | SUP   | <b>P</b>                            |                     |
| Dwelling, accessory<br>unit    |  | P   | <b>P</b>                            |                     |
| Dwelling, single-family        |  | Permitted   | <b>P</b>                            |                     |
| Dwelling, two-family           |  | Permitted   | <b>X</b>                            |                     |
| Greenhouse Private             |  |   | <b>P</b>                            |                     |
| Home Occupation:<br>Level 1    |  |   | <b>P</b>                            |                     |
| Home Occupation:<br>Level 2    |  | SPR   | <b>SUP</b>                          |                     |
| Manufactured Home              |  | X   | <b>P</b>                            |                     |
| Mobile Home (pre-<br>1978)     |  | X   | <b>X</b>                            |                     |



| USES                            |  | <u>Current</u><br>Rural<br>Residential<br><br>For<br>comparison | <b>Proposed<br/>12B<br/>Overlay</b> | Minimum<br>Lot Size |
|---------------------------------|--|---|-------------------------------------|---------------------|
| Senior Housing, Family          |  | X   | <b>SUP</b>                          |                     |
| Senior Care Facility            |  | X   | <b>SUP</b>                          |                     |
| Workshop/Garage Non-Commercial  |  | X   | <b>P</b>                            |                     |
| <b>Community Group</b>          |  |   |                                     |                     |
| Cemetery                        |  | SPR   | <b>P</b>                            |                     |
| Educational use                 |  | SUP   | <b>SUP</b>                          |                     |
| Lodge or club                   |  | SUP   | <b>X</b>                            |                     |
| Municipal use                   |  | SPR   | <b>P</b>                            |                     |
| Public Safety Use               |  | SUP   | <b>SUP</b>                          |                     |
| Public Utility                  |  | SUP   | <b>SUP</b>                          |                     |
| Religious Institution           |  | SUP   | <b>SUP</b>                          |                     |
| <b>Recreation Group</b>         |  |   |                                     |                     |
| Recreation, Active              |  | X   | <b>SUP</b>                          |                     |
| Recreation, Passive             |  | P   | <b>P</b>                            |                     |
| Recreational Facility, Athletic |  | X   | <b>SUP</b>                          |                     |